



Public Service Commission

State of North Dakota

COMMISSIONERS

Brian P. Kalk
Kevin Cramer
Bonny M. Fetch

Executive Secretary
Darrell Nitschke

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

December 5, 2012

Edward C. Murphy
State Geologist
North Dakota Geological Survey
600 East Boulevard Avenue
Bismarck, ND 58505-0840

Dear Mr. Murphy:

BNI Coal, Ltd. has filed an application for Surface Coal Mining Permit BNCR-1101 to conduct surface coal mining and reclamation operations at the Center Mine covering lands located in all or portions of Sections 5, 7, 8, 9, 16, 17, 18, 19, 20, 21, and 28, T141N, R83W; Sections 12, 13, 24, and 25, T141N, R84W; and Sections 31 and 32, T142N, R83W of Oliver County, North Dakota, containing 8,359.72 acres.

Enclosed is a DVD of the electronic permit application for your agency's review. The electronic permit is accessible by opening the "Permit BNCR-1101.html" file. Please note the eight page table of contents on the permit's home page that you may find useful for navigating the permit application.

As a member of our Advisory Committee, please review your agency's areas of interest and responsibility for the permit application, and provide us with any written comments that you may have on the permit application by January 22, 2013.

If you have any questions, please contact this office.

Sincerely,

James R. Deutsch
Director
Reclamation Division

Enclosure

Minedata/Center/Permits/BNCR-1101/AdvisoryCom/2012/Advisory_rvw_rqst_ltr_12-5-12



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December 5, 2012

Merlan E. Paaverud, Director
State Historical Society of North Dakota
612 East Boulevard Avenue
North Dakota Heritage Center
Bismarck, ND 58505-0830

Dear Mr. Paaverud:

BNI Coal, Ltd. has filed an application for Surface Coal Mining Permit BNCR-1101 to conduct surface coal mining and reclamation operations at the Center Mine covering lands located in all or portions of Sections 5, 7, 8, 9, 16, 17, 18, 19, 20, 21, and 28, T141N, R83W; Sections 12, 13, 24, and 25, T141N, R84W; and Sections 31 and 32, T142N, R83W of Oliver County, North Dakota, containing 8,359.72 acres.

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James R. Deutsch
Director
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December 5, 2012

Todd Sando
State Engineer
North Dakota State Water Commission
900 East Boulevard Avenue Dept 770
Bismarck, ND 58505-0850

Dear Mr. Sando:

BNI Coal, Ltd. has filed an application for Surface Coal Mining Permit BNCR-1101 to conduct surface coal mining and reclamation operations at the Center Mine covering lands located in all or portions of Sections 5, 7, 8, 9, 16, 17, 18, 19, 20, 21, and 28, T141N, R83W; Sections 12, 13, 24, and 25, T141N, R84W; and Sections 31 and 32, T142N, R83W of Oliver County, North Dakota, containing 8,359.72 acres.

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December 5, 2012

Scott Hochhalter
North Dakota State Soil Conservation Committee
2718 Gateway Avenue Suite 104
Bismarck, ND 58503

Dear Mr. Hochhalter:

BNI Coal, Ltd. has filed an application for Surface Coal Mining Permit BNCR-1101 to conduct surface coal mining and reclamation operations at the Center Mine covering lands located in all or portions of Sections 5, 7, 8, 9, 16, 17, 18, 19, 20, 21, and 28, T141N, R83W; Sections 12, 13, 24, and 25, T141N, R84W; and Sections 31 and 32, T142N, R83W of Oliver County, North Dakota, containing 8,359.72 acres.

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James R. Deutsch
Director
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December 5, 2012

Terry Steinwand, Director
North Dakota Game and Fish Department
100 North Bismarck Expressway
Bismarck, ND 58501-5095

Dear Mr. Steinwand:

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Director
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December 5, 2012

David Glatt, Chief
Environmental Health Section
North Dakota Department of Health
918 East Divide Avenue
Bismarck, ND 58501-1947

Dear Mr. Glatt:

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December 5, 2012

Larry Kotchman
North Dakota Forest Service
307 1st Street East
Bottineau, ND 58318

Dear Mr. Kotchman:

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December 5, 2012

Mary E. Podoll
State Conservationist
Natural Resources Conservation Service
PO Box 1458
Bismarck, North Dakota 58502-1458

Dear Ms. Podoll:

BNI Coal, Ltd. has filed an application for Surface Coal Mining Permit BNCR-1101 to conduct surface coal mining and reclamation operations at the Center Mine covering lands located in all or portions of Sections 5, 7, 8, 9, 16, 17, 18, 19, 20, 21, and 28, T141N, R83W; Sections 12, 13, 24, and 25, T141N, R84W; and Sections 31 and 32, T142N, R83W of Oliver County, North Dakota, containing 8,359.72 acres.

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Please review the permit application with regard to the prime farmland reclamation plan and submit written comments to the plan, or your concurrence with the plan, to our office by January 22, 2013.

If you have any questions, please contact this office.

Sincerely,

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James R. Deutsch
Director
Reclamation Division

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cc: Steve Sieler w/o Enclosure